

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JONATHAN ALLAN LAYNE,
Plaintiff,

v.

KELLY JENKINS, et al.,
Defendant.

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Civil Action No. 7:11-cv-00360

ORDER

By: Hon. Michael F. Urbanski
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff is **GRANTED** leave to proceed in forma pauperis; plaintiff's action is
DISMISSED without prejudice for failing to state a claim upon which relief may be granted,
pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and the action is **STRICKEN** from the active docket
of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum
opinion to plaintiff.

Entered: August 4, 2011

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge